

EPA Region III

Office of Public Affairs

EARLY BIRD HEADLINES

Thursday, January 26, 2012

*** MORNING HOT LIST ***

Cabot Blasts EPA's Decision on Dimock Water

WNEP-TV SCRANTON The controversy in Susquehanna County is the on-going dispute over wells residents said are contaminated from natural gas drilling. Wednesday Cabot Oil and Gas released a scathing statement in response to last week's decision by the U.S. Environmental Protection Agency to test 60 wells in the Dimock area and to have water delivered to some homes in Dimock. All this comes after the state allowed Cabot to stop water deliveries. Now Cabot is firing back at the EPA. Cabot is speaking out for the first time since Friday when residents along Carter Road in the Dimock area got a welcome delivery of fresh water. Last week the federal EPA announced it would temporarily deliver water to several homes in the area as well as test 60 wells to check for water contamination. Residents claim their water was contaminated by natural gas drilling. Cabot Oil and Gas had been delivering water until November when the state department of environmental protection declared the water safe and said Cabot no longer had to provide water to residents. Now Cabot is responding to the EPA's decision to step in, saying in a statement: "While taking water samples is certainly something EPA does from time to time, Cabot is concerned that this recent action may be more of an attempt to advance a political agenda hostile to shale gas development rather than a principled effort to address environmental concerns in the area."...Newswatch 16 did try to contact the EPA for comment on Cabot's position but has not yet received a response.

Commentary: How a gas boom became a glut

PHILADELPHIA INQUIRER Passengers on Pennsylvania's natural-gas roller coaster are advised to check their restraining devices. It's poised to change course again, producing nausea for some and shrieks of joy for others. A combination of powerful forces - Mother Nature and supply and demand - is going to have at least a short-term impact on natural-gas drilling in the state. Low prices, full storage facilities, reduced use due to a mild winter, and slow-to-rebound industrial demand will likely slow down the industry for at least a year, and more likely longer. The state and the nation are reaching a temporary plateau in the natural-gas boom, with consequences both positive and negative. What happened? And what's next? Supply is the leading factor. The shale-gas revolution has outpaced production estimates from just two years ago. In 2008, Pennsylvania had to import 75 percent of the natural gas it needed each year. The commonwealth was expected to be supplying all its own gas by 2009 and to become an exporter by 2014. But it actually reached that point last year. At the same time, drilling in other shale formations around the country is also producing immense volumes of gas, adding to the glut. Demand, meanwhile, remains relatively low. A mild winter gets the short-term blame. Low demand from manufacturing and related gas-intensive industries is having a more sustained impact...The development of the Marcellus and Utica shale formations, however, will proceed over a long period, and the volatility of supply,

demand, and prices will lessen as time goes on. With that stabilization will come equally stable, long-term economic benefits for Pennsylvania.

Casey presses Sunoco, ConocoPhillips on Pa. refinery closings

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Blog: General Assembly leaders say this session make or break for bay

BALTIMORE SUN Environmental activists rallied in Annapolis yesterday evening, as their leaders described this year's General Assembly session as a make-or-break one for restoring the Chesapeake Bay and fighting climate change. Senate President Thomas V. "Mike" Miller Jr. and House Speaker Michael E. Busch vowed to press for green legislation but appealed for help from the hundreds of activists crowded into a Senate conference room for the annual environmental legislative "summit." Environmental groups have declared renewable energy, bay cleanup and reducing plastic bag litter among their top priorities for this 90-day session. They're backing Gov. Martin O'Malley's bill offering subsidies for offshore wind energy projects, which a Sierra Club spokeswoman argued would help the state meet its renewable energy goals while improving air quality, boosting jobs and mitigating global warming. Green groups also are rooting for O'Malley's proposed increase in the "flush fee" to pay for upgrading more sewage treatment plants, and for limiting development on septic tanks, which they say will rein in sprawl while helping to keep nutrient pollution out of the bay. Other causes on the greens' radar include protecting environmental programs and park acquisition from budget cuts, and shielding the University of Maryland environmental law clinic from critics of its participation in a pollution lawsuit against an Eastern Shore farm and the Perdue poultry company. But legislative leaders warned activists that with all the budget and economic issues lawmakers have to deal with, the green agenda will be a tough one. Miller, in particular, cautioned that the environment is "under assault" from conservatives who are accusing the O'Malley administration of waging a "war on rural Maryland." He said some of the green groups' legislative priorities are "heavy lifts," but pledged to win passage of the governor's proposal to increase the "flush fee" toward upgrading the state's largest sewage treatment plants.

Bay regulations met with some ire

SALISBURY DAILY TIMES SALISBURY -- The amount of phosphorus escaping into the Chesapeake Bay has been a concern of environmental advocacy groups and elected officials for years and efforts to curb the amount of it entering the bay's watershed through regulation has met with some resistance from farmers. Wednesday, farmers from Somerset, Wicomico and Worcester counties met with agriculture experts to discuss several issues facing farmers today, including the level of phosphorus in their soils and nutrient management plans. The event was part of Lower Shore Agronomy Day, which has taken place for nearly two decades as a way for area farmers to earn continuing credits and find out about the best ways to protect their farms. During the day-long symposium about 100 farmers learned about new research, how to manage field crop diseases and how to manage

high phosphorus soils. Frank Coale, a professor in the University of Maryland's Department of Environment Science and Technology, spoke during the event about the high levels of phosphorus in soil throughout the region. "Anywhere you've had an intense animal production industry regardless of where you are in the country, you have an accumulation of phosphorus in those areas," said Coale. "It's going to take generations for those levels to naturally decline with regular cropping patterns." Coale said one of the main reasons phosphorus levels on Delmarva are so high is because for generations farmers have applied chicken litter at rates that supply more phosphorus than crops can use. He said while some elected officials may want to impose one range of phosphorus levels for all farmers to meet, evaluating farms on site-specific assessments is the best option. "Right now Maryland has probably some of the strongest nutrient management regulations in the country," said Coale. "Those regulations require if you have a soil test for phosphorus above 150 parts per million, which is above agronomic need, then you have to assess the site for the likelihood phosphorus could get off the field and into adjacent water bodies."

Judge Chambers blocks health studies from mine permit case

CHARLESTON GAZETTE CHARLESTON, W.Va. -- A federal judge has sided with Alpha Natural Resources in the company's effort to keep testimony about West Virginia University studies linking mountaintop removal to birth defects and cancer among coalfield residents out of a legal challenge to one of Alpha's new mining permits. U.S. District Judge Robert C. Chambers refused to allow the Ohio Valley Environmental Coalition to allegations about potential human health damage to the group's lawsuit challenging a Clean Water Act permit for the Reylas Surface Mine, proposed by Alpha subsidiary Highland Mining. The coalition and other groups are asking to add a claim about potential human health impacts to a suit that challenges a Clean Water Act permit the U.S. Army Corps of Engineers issued for the 235-acre mine proposed for Logan County. Environmental group lawyers cited three studies co-authored by WVU researcher Michael Hendryx that found generally higher rates of health problems, and specifically higher rates of cancer and birth defects, among residents living near mountaintop removal operations in Appalachia. The three papers are among a series of 20 peer-reviewed studies Hendryx and various co-authors have published examining possible links between mountaintop removal and various illnesses. Collectively, the papers have given weight to citizen complaints about coal's impact on public health. Anti-mountaintop removal activists point to the research to show that the issue isn't just about mining's effects on salamanders, mayflies or isolated mountain streams.

Occidental Chemical to Pay \$2.1 Million for Superfund Site Cleanup

BNA DAILY ENVIRONMENT REPORT PHILADELPHIA—Occidental Chemical Corp. will reimburse the United States more than \$2.1 million in past cleanup costs and assume responsibility for all future cleanup costs at a superfund site in Montgomery County, Pa., under terms of a settlement approved by a federal court, the Environmental Protection Agency announced Jan. 25 (United States v. Occidental Chemical Corp., E.D. Pa., No. 11-cv-7149, consent decree approved 1/3/12). The settling defendants also include Bridgestone Americas Tire Operations LLC, which sold the site to Occidental Chemical (OxyChem) in 1980, and Glenn Springs Holdings Inc., a corporate affiliate of OxyChem that has managed operations at the site since OxyChem closed its polyvinyl chloride (PVC) manufacturing facility there in 2005. The consent decree was lodged Nov. 15 simultaneously with the filing of a civil lawsuit in the U.S. District Court for the Eastern District of Pennsylvania under the Comprehensive Environmental Response, Compensation, and Liability Act for recovery of EPA's past and future response costs at the Occidental Chemical Superfund Site. The comment period on the settlement ended Dec. 22, and the court approved it Jan. 3. The Occidental Chemical site was used from 1942 to 1985 for disposal of industrial wastes, including cutting oils, metal filings, tires, and PVC sludge resins, according to EPA. A portion of the 257-acre property was placed on the National Priorities List in 1989 to address groundwater, soil, and sediment contamination with trichloroethylene (TCE) vinyl chloride monomer, trans-1-2-dichloroethene, and styrene. The superfund portion of the property consists of four earthen lagoons covering some three acres and a 60-acre groundwater plume. EPA Region 3 spokesman Roy Seneca said the agency estimates the cleanup has cost the company more than \$25 million. The cleanup remedy for the contaminated soil meets residential standards and does not require institutional controls, so it is eligible for deletion from the National Priorities List, but the groundwater

remedy will require long-term monitoring, according to EPA.

PENNSYLVANIA

PHILADELPHIA INQUIRER

Montco Superfund site owners pay \$2.1M The current and former owners of a Montgomery County Superfund site where tires and polyvinyl chloride (PVC) plastic resins were manufactured have agreed to pay \$2.1 million in past cleanup costs, the U.S. Environmental Protection Agency announced on Wednesday. The companies - Occidental Chemical Corp. (known as OxyChem), Bridgestone Americas Tire Operations and Glenn Springs Holdings Inc. - also accepted responsibility for future cleanup costs at the site, which is in Lower Pottsgrove Township. OxyChem currently owns the site, and Glenn Springs manages it. The agreement was spelled out in a consent decree filed in federal court by the Justice Department. Four over four decades - 1942 to 1985 - four owners of the property disposed of cutting oils, metal filings, tires, PVC sludge resins and other industrial wastes on the site. In 1989, EPA placed the site on its Superfund list because of unsafe levels of trichloroethylene (TCE), vinyl chloride, and other hazardous substances in the soil and groundwater. OxyChem completed remedial action, which included construction a groundwater treatment plant and excavating contaminated lagoon sludges, in 2008.

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Blog: County to get water-improvement funds The Chester County Conservation District is one of the beneficiaries of a \$98 million investment in 23 water-improvement projects across the state by the Pennsylvania Infrastructure Investment Authority, a news release from Gov. Corbett said today. "The water improvement projects awarded funding by the PENNVEST Board today further our goals of environmental improvement and economic revitalization," Corbett said in the release. "These projects are vital to the future health and wellbeing of citizens all across Pennsylvania and will serve as a lasting legacy to our children and grandchildren." The Chester County Conservation District received a \$1,274,595 grant to undertake 10 separate projects at various sites in the county, the release said. These projects primarily involve the implementation of agricultural best-management practices designed to reduce nutrient runoff into local streams and, ultimately, the Chesapeake Bay.

PITTSBURGH POST-GAZETTE

Consol to dial back gas-drilling plans Lucrative joint ventures in its gas division and strong overseas sales in its coal division helped Consol Energy post record fourth-quarter profits, but low natural gas prices have forced the Cecil-based energy firm to scale back 2012 drilling plans, the company announced today. Consol Energy announced a profit of \$196 million, or 85 cents per diluted share, for the quarter ended December 31, up from the \$104 million and 46 cents seen this time one year ago. Revenue for the quarter was nearly \$1.4 billion. The company's 2011 profit of \$632 million, or \$2.76 per diluted share, was a substantial increase from 2010's profit of \$347 million and \$1.60. Revenue for the year was \$6.1 billion.

9 GOP state senators oppose Marcellus provision on local control HARRISBURG -- Nine Republican state senators said they oppose a provision in Marcellus Shale regulatory bills that would restrict the ability of local governments to enact rules regarding gas drilling. That opposition, noted in a letter to two top Senate Republicans from a group of mostly southeastern Pennsylvania lawmakers, puts another obstacle in front of finalizing a shale impact fee and regulatory measure in the coming weeks. The nine are senators Richard Alloway of Franklin County, Edwin Erickson of Delaware County, John Rafferty, Stewart Greenleaf and Bob Mensch of Montgomery County, Patricia Vance of Cumberland County, Mike Folmer of Lebanon County, and Charles McIlhinney and Robert Tomlinson of Bucks County. Those lawmakers voted in support of the comprehensive measure when it passed the Senate in November. They now say that they support the bill's provision to allow the attorney general to review local drilling rules and determine whether they are reasonable, but that the measure as written is too restrictive. The state Senate and the House of Representatives passed similar bills last fall regarding gas drilling revenues and oversight. GOP leaders from those chambers have been in negotiations with the governor's office for weeks to hammer out an overall agreement. Tweaks to that process of balancing standardized state rules for drillers with preserving local input have been discussed, though Gov. Tom Corbett has maintained that he still supports having state law pre-empt local drilling ordinances.

Dig this: Gardeners, farmers get new guides Chambersburg's famous peaches could now grow in Clearfield and other points north because Pennsylvania's coldest days aren't as cold as they once were. That warming trend, generally extending across the United States, is detailed in the U.S. Department of Agriculture's new "plant hardiness map," a rainbow-banded depiction of growing zones often found on the back of hardware store seed packets and used by farmers and gardeners to determine which fruits, vegetables and ornamental trees and shrubbery can grow in which regions. The map, released by the USDA on Wednesday, charts the average lowest winter temperature for a location, a crucial factor in determining if certain plants will survive or freeze and die. "The map is useful to home gardeners and provides one of the ways people figure out what plants will grow in their front or back yards or gardens and which will survive the winter," said Nina Bassuk, professor of horticulture at Cornell University. William Miller, a Cornell professor of horticulture, said the new map "won't change what will grow but will give gardeners more confidence that they are planting plants that will survive." It is the first update of the plant hardiness map since 1990 and reflects shifting and warming climate patterns across the U.S.

Let's Talk About: Groundhog Day (Today) Did you know that Groundhog Day, or Candlemas Day, is actually an astronomical holiday that has to do with seasons? Groundhog Day is a "cross-quarter date" that falls approximately midway between a solstice and an equinox. Long ago, the Celts of the British Isles divided the year into four major

sections and then divided each of these in half to mark an eight-part year that reflected the natural procession of the seasons. Thus there are eight major seasonal subdivisions every year. They include the March and September equinoxes, the June and December solstices, and the intervening four cross-quarter days.

PITTSBURGH TRIBUNE REVIEW

Gas driller ends free water deal for Sewickley Township family For more than three years, Walter Sowa says a natural gas company told him not to drink his well water after it drilled near his Westmoreland County home. "The water was so bad, they said not to wash my hands in it or use it for anything," recalled Sowa, 60, of Sewickley Township. Now, according to Sowa, Atlas Energy LP is telling him the water is OK to use again -- and stopped trucking clean water to his home for free more than two weeks ago. "I do not want to use that (water)," Sowa said. "I don't even let my dogs drink it." Brian Begley, Atlas Energy's vice president of investor relations, said the company tested the water and believes it is safe enough to consume. "We feel like this is something that has improved substantially over time," he said. A state Department of Environmental Protection official told the Tribune-Review that the agency is backing Sowa because the company set a precedent in supplying him with water and promised a permanent solution, and because the agency's own testing was inconclusive. "If there are questions or there is contamination, we're going to employ the resources of whatever is necessary to make sure the people who are affected are made whole," DEP spokesman John Poister said. Sowa's fears about the safety of his well water supply are a common refrain among people who live near gas wells or hydraulic fracturing -- or "fracking" -- operations that go into the Marcellus shale more than a mile below the surface. The well near Sowa's home draws surface gas. The issue over Sowa's water comes days after the Environmental Protection Agency said it would test the water at 60 homes in Dimock in Susquehanna County, where residents accuse Cabot Oil & Gas of contaminating drinking water.

State grant will lift redevelopment in river towns A \$100,000 state grant will boost redevelopment efforts by the nonprofit Allegheny River Towns Enterprise Zone, or ARTEZ, in Millvale, Etna, Blawnox and Sharpsburg. ARTEZ, which covers Aspinwall, O'Hara and Shaler, promotes business development and employment in the Lower Allegheny River communities. Over the years, the nonprofit has secured grant money for environmental assessments to re-use former industrial properties, which line the towns' riverfronts. The latest grant will help ARTEZ spruce up entryways into Millvale and Blawnox, market the former Tippins plant in Etna and improve the Etna Business Park/Sharpsburg area under the 62nd Street Bridge.

Letter: Wrong on ethanol The editorial "The ethanol ruse: No end in sight" (Jan. 16 and TribLIVE.com) shows a fundamental lack of understanding of the ethanol industry's role in making our nation energy-independent. American ethanol is the only commercially viable alternative fuel that we have today. Last year, American ethanol displaced the equivalent of 500,000 barrels per day of foreign oil -- that's more oil than we import from Saudi Arabia. American ethanol is keeping more of our dollars at home instead of sending them overseas to pay for imported oil from hostile OPEC nations.

WNEP-TV

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HARRISBURGH PATRIOT NEWS

Commentary: Pennsylvania should protect its remaining state lands from drilling When Gov. Tom Corbett presents his state budget in February, it is imperative that he doesn't sacrifice Pennsylvania's remaining state forest lands to oil and gas companies for drilling. To do so would be short-sighted. As the state looks for new revenue sources, Pennsylvanians should be reminded that the state receives significant income from recreational use of its natural resources. In fact, according to the U.S. Fish and Wildlife Service, more than \$4.3 billion in revenue is generated in Pennsylvania each year from fishing, hunting and wildlife-related recreation — and state forests and parks serve as the cornerstone for these activities. The ripple effect of this recreational use flows into local communities where small businesses serve tourists, sportsmen and other visitors. More than 700,000 acres, almost half of Pennsylvania's state forest lands, have been leased for oil and gas drilling. The administration might view additional leasing as a potential opportunity to increase state revenue, but that decision is shortsighted. Once drilled, these lands will be altered for decades to come. And when these forest areas are altered, it will be decades before they grow back to the size and scale they are today...As Marcellus Shale development continues in earnest, there are places that should be off-limits to drilling — special places where Pennsylvanians hunt and fish, irreplaceable backwoods and wilderness areas. These public lands are held in trust by the state for the people and they must be protected as wild to preserve long-held traditions for generations to come.

STATE COLLEGE CENTRE DAILY TIMES

Corman: Drilling impact fee close COLLEGE TOWNSHIP — A Marcellus Shale impact fee is close to passage, state Sen. Jake Corman, R-Benner Township, said at a breakfast hosted by the Chamber of Business and Industry of Centre County Wednesday. A bill implementing an impact fee will be passed out of committee and face a floor debate either next week or the week after, Corman said. "We're on the precipice, finally, after years, of finishing an impact fee for Marcellus Shale legislation," he said. "It's been difficult to try to reach a compromise ... Any time you're talking about a new funnel of money there's a lot of different ideas of how to spend it." The new funds available to the state might not be as much as some had hoped, Corman said. "Ironically, we're going to get this done right as gas prices are at a record low, so I'm not sure how much money this is ultimately going to generate," he said. Corman also discussed the deteriorating road infrastructure in Pennsylvania and the need to fix roads like U.S. Route 322 near Boalsburg, which he called particularly dangerous. "We need to fix that road. It's a safety hazard," he said. Though it's badly needed, a comprehensive transportation bill is unlikely to see the light of day in Harrisburg, Corman acknowledged. A bill that would pay for infrastructure upgrades by lifting the cap on the oil company franchise tax has not been put to a vote since Corman introduced it in October. "The cost of maintaining the system that we have is far outgrowing the ability to pay for it under current mechanisms," he said. "Nobody likes to pay more ... but having said that, we have benefits to paying more if (transportation) projects are done."

Biomass system saves on school's oil costs On a cold morning earlier this month, I walked into Penns Valley Area School District's new biomass building. "Welcome to the space program," physical plant director Bob Miller told me. He had to raise his voice, to be heard over the sound of machines burning several tons of wood chips and turning them into heat for the district's elementary and high school buildings. Miller's space program reference was a joke. But the building has the high-tech devices and the large ceiling reminiscent of NASA. The district will host an open house at the biomass building from 2 to 7 p.m. Friday. It's located along state Route 45 in Penn Township, next to Penns Valley Elementary and Intermediate School. The biomass heating system, which started burning wood chips in December, has been years in the making. The total cost of the project was \$3.3 million, but the district's direct expenses were \$1.64 million. The rest came from grants. The biomass boiler is expected to cut the district's use of oil for the high school and elementary school building from 71,000 gallons a year to 10,000 gallons. How much that will save the district varies based on oil prices. When district leaders planned the project,

they estimated oil would cost \$2.29 a gallon. “We put that in to be conservative,” said Superintendent Brian Griffith.

WILLIAMSPORT SUN-GAZETTE

Track upgrade to make park more tempting ALLENWOOD - The SEDA-Council of Governments Joint Rail Authority's plan to bring rail service to the Great Stream Commons business park also may bring something to the park that has been in short supply for a long time. During a public meeting Wednesday, authority Executive Director Jeff Stover said plans include the rehabilitation of several miles of railroad track leading into the 670-acre park, which is along Route 15 just north of here in Gregg Township. The project also includes the restoration of a railroad bridge spanning White Deer Creek, Stover said. Local officials are hoping the introduction of rail service will breath life into a venture that so far has born little fruit. Union County bought the 670-acre park more than a decade ago, according to Union County Commissioner John Showers. The county paid about \$12 million for the property using proceeds from a bond issue, Showers said.

BEAVER COUNTY TIMES

Chesapeake drills new well in South Beaver A new Marcellus shale natural gas well was drilled Tuesday by Chesapeake Appalachia in South Beaver Township, according to state Department of Environmental Protection records. It is Beaver County's second new Marcellus gas well of 2012, and ninth since 2009. Chesapeake Appalachia has drilled seven wells in Beaver County since January 2011; four in Ohioville, including one drilled Jan. 7, and three in South Beaver. The newest South Beaver well is near Hodgson Road. Two new Marcellus gas wells were drilled in Perry Township earlier this month, giving Lawrence County four wells, including two in Little Beaver, since January 2011. Shell Western Exploration drilled each of the Lawrence County wells and obtained a DEP permit for a third well in Little Beaver earlier this month. DEP records show no new well permits have been issued for Beaver County in 2012. According to the Beaver County Recorder of Deeds online records, Chesapeake has filed 478 lease-related documents in January, including 111 in Hanover Township and 95 in Chippewa Township. The Georgetown Sand & Gravel Co. leased 247 acres to Chesapeake in Greene Township, Georgetown and Glasgow, while the Chartiers City Rod & Gun Club leased a 111-acre parcel in Hanover Township. Range Resources filed 40 lease-related documents this month, including 28 in Hanover Township, according to the online county records.

WASHINGTON, D.C.

WASHINGTON POST

Blog: Fact-checking Mitt Romney's 'prebuttal' speech ...On White House energy policy: “When we needed more domestic energy to keep prices low and create jobs, he imposed bans on oil drilling and turned his EPA regulators loose to slow our development of natural gas.”

The Obama administration imposed a six-month moratorium on offshore drilling in 2010, but only after the disastrous BP oil spill that devastated the Gulf of Mexico. He later gave BP the okay to conduct offshore drilling in the region. The president had actually approved an increase in offshore drilling weeks before the massive spill began, leaving a considerable amount of egg on his face. Contrary to Romney's suggestion that the president has curbed natural-gas drilling, Obama rejected a temporary halt of fracking in the Marcellus Shale regions of Pennsylvania and New York in 2010. But he has also pressed for strict regulations. Environmentalists say the rules still don't go far enough.

New plant map shifts area to warmer zone Suddenly, ornamental cabbage seems so unnecessary. Who needs a frigid flower wannabe when a balmy winter has so far brought us daffodils, camellias, snowdrops, jasmine — in short, a January blossom party designed to make longtime gardeners in these parts scratch their heads in disbelief. On Wednesday, the Department of Agriculture unveiled what most gardeners have known for years: a new plant hardiness zone map that shows generally warmer low temperatures for winter than the department's previous map

from 1990. In the Washington region, the District and other communities bordering the Potomac River or the Chesapeake Bay are now in the warmer half of Zone 7, which formerly reached only as far north as Tidewater Virginia. Most of Virginia and Maryland are in the cooler side of Zone 7, with a low temperature range of zero to 5 degrees Fahrenheit. Before, the areas found themselves in the colder Zone 6, along with much of the Appalachian piedmont.

WASHINGTON EXAMINER

O'Malley looks to green energy for successful session The success of Maryland Gov. Martin O'Malley's 2012 agenda largely will hinge on his ability to push a series of environmental initiatives through a legislature wary of the financial implications of his green energy blueprint. O'Malley is already facing resistance over his plan to double the state's "flush" tax, which would cost Marylanders an average of \$60 a year to aid Chesapeake Bay cleanup efforts. And he is expected in the coming days to announce a proposed increase in the state's 23.5-cents-per-gallon gas tax, a charge that has remained the same for decades. "Personally, I'd like to see us get away from a commodity tax, especially when it's a commodity that we hope that green cars and hybrids and plug-ins will reduce the consumption of," O'Malley previously said. The governor has long argued that, if the state is to remain economically competitive, it must kick-start green energy projects in the nascent stages of production overseas -- which have yet to take off domestically over concerns about expenses -- and curb dependence on traditional energy sources. The gas tax helps pay for bridge and road repair, but in recent years, O'Malley has moved most of the state's gas tax revenue into the general fund to help close budget shortfalls. The transportation fund is suffering from an estimated \$800 million shortfall in the coming fiscal year, according to a state-appointed commission charged with finding ways to replenish the money.

Grow seagrass to help restore the Bay The Chesapeake Bay Foundation is looking for volunteers to grow underwater grass in their homes, schools or businesses to help restore the Bay and its tributaries. The grass, a wild celery, helps ward off pollution and provide food and shelter for blue crabs, fish and wildfowl. Workshops for this "Grasses for the Masses" program will be held in February in Northern Virginia. Each attendee will get a \$40 grow kit, seeds and instructions. After 10 to 12 weeks, growers will gather to plant their grasses in select local rivers. [Click here](#) for more information on the program

DELAWARE

WILMINGTON NEWS JOURNAL

Wind advocates happy with Obama's nod in speech President Barack Obama's State of the Union address included some language that made wind power advocates happy. Tax credits for wind projects are scheduled to expire at the end of this year. Congress' inaction to renew them was part of the calculus that spelled the end of the Bluewater Wind offshore wind power contract. But after Obama urged Congress to "pass clean energy tax credits and create these jobs," the National Resources Defense Council reported on Wednesday: "NRDC has been fighting to extend these clean energy tax credits, and we welcome the president's support. We've also been calling on Congress to pass a clean energy standard with a laser focus on wind, solar, and other renewable power sources and create incentives for energy efficiency. We were pleased that last night the president once again backed measures to promote the use of clean energy and efficiency." Wind power is on track to provide 20 percent of the nation's power by 2030, said Denise Bode, CEO of the American Wind Energy Association. But layoffs have already begun in the wind industry, and that will continue until Congress renews the credits, she said.

Hardiness zones trending warmer A new U.S. Department of Agriculture plant-hardiness map released Wednesday shows that several parts of Delaware aren't as cold as they were in the past, and that has implications for the types of plants that will grow in the state. "I definitely have seen a change," said Rick Lewandowski, director of the Mt. Cuba Center in northern New Castle County. "It sort of confirms what most of us have been observing." Delaware

is still considered Zone 7, with the slightly warmer Zone 7b in coastal Sussex County. But Zone 7b now extends much farther west and north along Delaware Bay. Southwestern Sussex County near the Maryland line also is a little warmer, along with the area along the Delaware River in New Castle County. Also, there are two warm spots on the map: a heat island in Dover and a circle just north of Dover and south of Smyrna. It's the first time since 1990 that the USDA has revised the official guide for the nation's 80 million gardeners, and much has changed across the country. Nearly entire states, such as Ohio, Nebraska and Texas, are in warmer zones.

WEST VIRGINIA

CHARLESTON GAZETTE

Cracker tax break passes Legislature, headed to governor CHARLESTON, W.Va. -- When Gov. Earl Ray Tomblin heads for Houston today for another in a series of meetings with Shell Oil executives over locating a ethane cracker plant in West Virginia, he probably won't have a copy of the bill that offers major property tax breaks for such facilities. The bill wasn't passed until Wednesday. But Tomblin will make sure that Shell executives, and anyone else who wants to build a cracker in West Virginia, know about the measure. "We do plan on letting all those who are interested in investing in West Virginia know that the governor wants their investment, and this bill is more evidence of that fact," Tomblin spokeswoman Kimberly Osborne said. State senators suspended constitutional rules on Wednesday to fast-track the legislation (HB4086) to allow cracker plants investments of \$2 billion or more to be assessed at their scrap value, or 5 percent of their actual value. The valuation would be in effect for 25 years, and should save plant owners more than \$25 million in property taxes in the first year alone, proponents say. Senators passed the bill 33-0. Sen. John Pat Fanning, D-McDowell, wasn't there for Wednesday's vote. In a statement after the Senate's vote, Tomblin said the Legislature sent a "clear signal" that it is united with his administration in efforts to bring a cracker plant to the state. "It is through bipartisan support, like this and that of last month's historic Horizontal Well Act relating to Marcellus Shale, that we show potential investors West Virginia is ready and willing to take the development of our vast natural gas reserves to the next level," Tomblin said.

Judge Chambers blocks health studies from *mine* permit case HARLESTON, W.Va. -- A federal judge has sided with Alpha Natural Resources in the company's effort to keep testimony about West Virginia University studies linking mountaintop removal to birth defects and cancer among coalfield residents out of a legal challenge to one of Alpha's new mining permits. U.S. District Judge Robert C. Chambers refused to allow the Ohio Valley Environmental Coalition to allegations about potential human health damage to the group's lawsuit challenging a Clean Water Act permit for the Reylas Surface Mine, proposed by Alpha subsidiary Highland Mining. The coalition and other groups are asking to add a claim about potential human health impacts to a suit that challenges a Clean Water Act permit the U.S. Army Corps of Engineers issued for the 235-acre mine proposed for Logan County. Environmental group lawyers cited three studies co-authored by WVU researcher Michael Hendryx that found generally higher rates of health problems, and specifically higher rates of cancer and birth defects, among residents living near mountaintop removal operations in Appalachia. The three papers are among a series of 20 peer-reviewed studies Hendryx and various co-authors have published examining possible links between mountaintop removal and various illnesses. Collectively, the papers have given weight to citizen complaints about coal's impact on public health. Anti-mountaintop removal activists point to the research to show that the issue isn't just about mining's effects on salamanders, mayflies or isolated mountain streams.

DEP study overlooked lead violation in Prenter water CHARLESTON, W.Va. -- State environmental regulators on Wednesday issued a clarification to their report on water quality in the Boone County community of Prenter, after a citizen pointed out they had overlooked a violation of pollution limits for lead. The state Department of Environmental Protection had declared that a yearlong study had found no violations of health standards in water samples taken from 33 residential wells in the area. It turns out the study, performed by DEP by the industry

consulting firm Triad Engineering, actually found a violation of federal drinking water limits for lead in one of the wells examined. The error in DEP's press announcement and the text of the report was pointed out in the comments section of the Gazette's Coal Tattoo blog by a reader who examined data tables attached to the agency report. In a press release, DEP said that agency and Triad staff had carefully reviewed the data, but that the lead finding "was accidentally overlooked by both." "While this does not change the overall scope of the study, exceeding the drinking water standard for lead is serious and we are glad this error was found," said DEP Secretary Randy Huffman.

Blog: C8 update: Kids, chemicals and vaccines We had about another troublesome study of C8's potential human health effects, reporting:... You can read the paper yourself [here](#). But there's another paper just out in the journal Environmental Health Perspectives that is also worth a look. That paper reported:

Blog: State of the Union: Obama promotes natural gas, but is the shale-gas drilling boom a 'bridge to nowhere'? During his State of the Union address last night, President Obama made a huge point of promoting natural gas, while also trying to appear concerned about any potential impacts from drilling. Here's what he said:

WHEELING INTELLIGENCER

Ohio Believes It Has Edge for 'Cracker' ST. CLAIRSVILLE - When West Virginia Gov. Earl Ray Tomblin gets to Houston today to make his pitch for a Mountain State ethane cracker, he'll likely find that Ohio Gov. John Kasich left his business card at the same office two months ago. "We continue to work hard to make the case that Ohio is the best place for this facility," said Connie Wehrkamp, deputy press secretary for Kasich. "We never count our chickens before they hatch, however, and are working hard across the full range of possibilities to maximize shale's benefit to Ohio." Officials in Ohio, West Virginia and Pennsylvania are all working to attract the multi-billion-dollar ethane cracker to their states, citing the facility's potential to create thousands of temporary and related jobs - along with hundreds of permanent chemical jobs paying in the range of \$60,000 per year. Via legislation passed in both chambers of the West Virginia Legislature this week, the Mountain State plans to slash taxes for 25 years on machinery and inventory for any cracker facility that costs at least \$2 billion to build. However, Wehrkamp said such a measure will only put West Virginia on equal footing with Ohio in terms of tax incentives.

WEST VIRGINIA PUBLIC BROADCASTING

Senate passes cracker When Governor Earl ray Tomblin arrives in Houston Texas to convince a major corporation to build a massive natural gas refining plant in our state, he has some new ammunition available While it normally takes weeks of committee hearings and days of floor action, the "cracker" bill passed in minutes. The Senate actually approved the measure passed by the House Monday without any changes. Senator Roman Prezioso, the Finance Chairman, urged members to move quickly. "This is probably one of the most important bills we'll consider this session, We're going to move this bill through as quickly as possible to give the governor the opportunity to negotiate the possibility of one or two cracker plants in the State of West Virginia," Prezioso said. The rules requiring 3 days consideration were quickly dispensed with and the measure passed unanimously. Raleigh County Senator Mike Green's committee worked on cracker issues much of last year. "I think it's going to be a game changer for the State of West Virginia. What this does is give the governor the opportunity and the leverage to go meet with these corporations and let them know that we are committed to bring this facility here to West Virginia and willing to do what's best not only for the industry but also for the state of West Virginia and its residents," concluded Green.

WDTV - CLARKSBURG

Tax Break For Cracker Plant Awaits Tomblin's Signature The Mountain State will soon be offering a 25-year tax break as incentive to attract a new chemical plant. Our state's senate unanimously passed the measure Wednesday and the bill is now on the way to Governor Tomblin. He has been spearheading the bill hoping our state will be chosen as a site for a cracker plant. Those operations convert a byproduct from Marcellus shale wells into a very useful chemical compound. This bill will cut property taxes for 25-years for any company that invests at least \$2

billion to build a cracker. The Mountain State is competing with Ohio and Pennsylvania for the cracker plants that will be built in the Marcellus region. Cracker plants are estimated to bring thousands of direct and indirect jobs to the area.

PARKERSBURG NEWS AND SENTINEL

Tomblin, Burdette heading to Texas On a mission to sell state as home for cracker plants. PARKERSBURG - West Virginia has a good chance to be the site of one, two or possibly three ethane cracker plants under study, the state secretary of commerce said Wednesday. "We are absolutely in the thick of it," Secretary Keith Burdette said on the eve of a trip to Houston where Gov. Earl Ray Tomblin will tout why West Virginia is the best place for the multi-billion-dollar plant to produce ethylene, a raw material in the plastics industry. The project is a result of the development of the Marcellus Shale natural gas deposits that stretch from New York to the Ohio River Valley. It will separate the liquid gas compounds from the "wet" gas into ethylene. The \$2 billion-plus facility is expected to create, besides 8,000 short-term jobs for the construction, more than 12,000 jobs with 2,500 in the chemical industry and 6,200 indirectly through the supply chain, according to the American Chemistry Council. The other jobs would be created by consumer spending, the organization said. State officials are playing the Houston trip close to the vest. Only Royal Dutch Shell has disclosed it is considering sites in Pennsylvania, Ohio and West Virginia for the plant; however, another company also is planning a cracker plant, Burdette said. While smaller in scale, The Wetzel Chronicle last week reported Aither Chemicals of West Virginia plans a \$750 million ethane cracker to be in production by 2016, a project the company said should create thousands of jobs in West Virginia and Ohio. Aither says it uses a process using 80 percent less energy and producing 60 percent less carbon dioxide.

ASSOCIATED PRESS (W. Va.)

W.Va. Legislature passes 'cracker' plant tax break CHARLESTON, W.Va. — Spurred by the prospect of thousands of jobs, West Virginia would slash property taxes for 25 years in exchange for the construction of a chemical plant tied to the region's Marcellus shale industry, under fast-tracked legislation passed Wednesday to Gov. Earl Ray Tomblin. The state Senate unanimously approved the bill with one absence, ahead of schedule and in time for Tomblin's Thursday trip to Houston to promote West Virginia sites to the potential builders of a facility called a "cracker." These plants convert a byproduct of natural gas wells into a useful chemical by breaking down, or cracking, the chemical bonds that hold the molecules together.

MSHA shuts Ky. mine over coal fire, other hazards MORGANTOWN, W.Va. (AP) -- A Kentucky mine was shut down after federal inspectors found two unsecured cases of explosives near a burning pile of coal, as the government issued 174 citations and 19 orders at troubled coal mines during December. The Mine Safety and Health Administration said Wednesday it issued 32 citations and 12 orders against Coal Creek Mining LLC's No. 2 Mine in Floyd County, Ky. Inspectors found a 5- by 10-foot coal pile on fire about 23 feet from two cases of explosives outside the mine and issued an imminent danger order. The key to the explosives cache was lying on top.

MARYLAND

BALTIMORE SUN

Blog: General Assembly leaders say this session make or break for bay Environmental activists rallied in Annapolis yesterday evening, as their leaders described this year's General Assembly session as a make-or-break one for restoring the Chesapeake Bay and fighting climate change.

Senate President Thomas V. "Mike" Miller Jr. and House Speaker Michael E. Busch vowed to press for green legislation but appealed for help from the hundreds of activists crowded into a Senate conference room for the annual environmental legislative "summit." Environmental groups have declared renewable energy, bay cleanup

and reducing plastic bag litter among their top priorities for this 90-day session. They're backing Gov. Martin O'Malley's bill offering subsidies for offshore wind energy projects, which a Sierra Club spokeswoman argued would help the state meet its renewable energy goals while improving air quality, boosting jobs and mitigating global warming. Green groups also are rooting for O'Malley's proposed increase in the "flush fee" to pay for upgrading more sewage treatment plants, and for limiting development on septic tanks, which they say will rein in sprawl while helping to keep nutrient pollution out of the bay. Other causes on the greens' radar include protecting environmental programs and park acquisition from budget cuts, and shielding the University of Maryland environmental law clinic from critics of its participation in a pollution lawsuit against an Eastern Shore farm and the Perdue poultry company. But legislative leaders warned activists that with all the budget and economic issues lawmakers have to deal with, the green agenda will be a tough one. Miller, in particular, cautioned that the environment is "under assault" from conservatives who are accusing the O'Malley administration of waging a "war on rural Maryland." He said some of the green groups' legislative priorities are "heavy lifts," but pledged to win passage of the governor's proposal to increase the "flush fee" toward upgrading the state's largest sewage treatment plants.

Shipowner, operator fined \$1.85M in pollution case When Coast Guard inspectors boarded a new freighter docking in Baltimore last February, a junior-level engineer from the Philippines approached and slipped them a note. "I have something to tell you but secret," he wrote, using all capital letters. The secret — that the ship had illegally dumped oily waste and garbage into the ocean — resulted in the owners and operators of the M/V Aquarosa being fined \$1.85 million in federal court Wednesday and also ordered to pay \$550,000 to a foundation to help restore the Chesapeake Bay. And the whistle-blower, a seaman who supports a wife and four children on \$27,000 a year, stands to earn a six-figure reward for his efforts, including gathering copies of the ship's logs and snapping hundreds of pictures of illegal onboard activities with his cell phone. A decision on the size of his reward is pending; federal law says the amount can be as much as half the fine. "Without Salvatore Lopez coming forward, the crimes that occurred aboard the Aquarosa would still be going on," said federal prosecutor Richard Udell, who called illegal ocean dumping "virtually an epidemic." The case is the latest in a series of high-profile pollution enforcement efforts sparked by whistle-blowers and carried out by Baltimore's Coast Guard investigators and the Justice Department. Efploia Shipping Co., the operator of the vessel, and Aquarosa Shipping, the owner, were each fined \$925,000. In addition, the defendants were each ordered to perform community service by writing checks for \$275,000 to the National Fish and Wildlife Foundation for nonprofit projects aimed at restoring the Chesapeake Bay and other Maryland waterways.

Harford to end Swan Harbor Farm dispute with land swap Harford County's Parks and Recreation department wants to swap some land on Oakington Road, near Havre de Grace, to ensure it owns unimpeded access to Swan Harbor Farm, a popular nature watching and wedding venue. The Harford County Council introduced a bill last week that would allow the county give 11.14 acres to Griffith Davis, owner of adjacent Belle Vue Farm, in exchange for just 0.98 acres that covers part of the entrance road into Swan Harbor Farm. The county has been sparring with Davis over the exact property lines in that area since the county bought Swan Harbor in the mid-1990s, parks and recreation director Arden McClune said Monday.

SALISBURY DAILY TIMES

Obama may make stop at Salisbury airport SALISBURY -- Weather pending, President Barack Obama could fly into the Salisbury-Ocean City: Wicomico Regional Airport on Friday and then take a road trip to Cambridge, an informed source familiar with plans for the landing said on condition of anonymity. "Salisbury is an alternate airport if weather does not permit (Obama's plane) to fly directly into Cambridge," the source said Wednesday afternoon. "There were (federal) visitors today at the Salisbury airport. They wanted to tour, and said that Salisbury would be an alternate airport." According to the source, the president is expected to attend a Friday session of the Maryland Democratic Party's annual conference at the Hyatt Regency Chesapeake Bay Golf Resort, Spa & Marina in Cambridge, some 30 miles west. It would be the second known visit by the president to the mid-Shore. In late January 2011, Obama made a reported whistle stop at the Democrat Party's Maryland retreat at the Cambridge Hyatt, an event also attended by Vice President Joe Biden, who was a guest speaker. The preferred plan on Friday

is to fly Obama to a small general aviation airport in Cambridge, the source said.

Bay regulations met with some ire SALISBURY -- The amount of phosphorus escaping into the Chesapeake Bay has been a concern of environmental advocacy groups and elected officials for years and efforts to curb the amount of it entering the bay's watershed through regulation has met with some resistance from farmers. Wednesday, farmers from Somerset, Wicomico and Worcester counties met with agriculture experts to discuss several issues facing farmers today, including the level of phosphorus in their soils and nutrient management plans. The event was part of Lower Shore Agronomy Day, which has taken place for nearly two decades as a way for area farmers to earn continuing credits and find out about the best ways to protect their farms. During the day-long symposium about 100 farmers learned about new research, how to manage field crop diseases and how to manage high phosphorus soils. Frank Coale, a professor in the University of Maryland's Department of Environment Science and Technology, spoke during the event about the high levels of phosphorus in soil throughout the region. "Anywhere you've had an intense animal production industry regardless of where you are in the country, you have an accumulation of phosphorus in those areas," said Coale. "It's going to take generations for those levels to naturally decline with regular cropping patterns." Coale said one of the main reasons phosphorus levels on Delmarva are so high is because for generations farmers have applied chicken litter at rates that supply more phosphorus than crops can use. He said while some elected officials may want to impose one range of phosphorus levels for all farmers to meet, evaluating farms on site-specific assessments is the best option. "Right now Maryland has probably some of the strongest nutrient management regulations in the country," said Coale. "Those regulations require if you have a soil test for phosphorus above 150 parts per million, which is above agronomic need, then you have to assess the site for the likelihood phosphorus could get off the field and into adjacent water bodies."

WGMD RADIO

Bills to ban arsenical drugs in chicken production introduced in Maryland Genral Assembly Legislation has been introduced in Maryland that would ban the use of arsenical drugs in chicken production. A study by the University of Maryland's Hughes Center for Agro-Ecology shows that feeding arsenic to chickens is not sustainable for the environment. The arsenic is found in poultry litter which is used as fertilizer on crop fields – and then finds its way into waterways like the Chesapeake Bay. The legislation was introduced this week in both the Maryland House and Senate.

MARYLAND GAZETTE NEWSPAPERS

Commentary: Biotech industry should not be unrestrained George Rudy of Walkersville, a nuclear systems consultant, presented his concerns about biotechnology laboratories in Frederick County at the Jan. 10 meeting of the Containment Laboratory Community Advisory Committee. His complaint was about public safety and the industry's response to any discussion of those issues, typically along the lines of "It is a secret. We cannot tell you" or "The rigors of independent oversight do not apply here." Rudy did not consider such responses as being responsive or responsible... He reminds us that the August earthquake shook the area, yet Frederick County did not inquire whether the labs had any damage, nor did county emergency management or the advisory committee. It reminds me of the groundwater investigation at Fort Detrick in November when the company drilling a monitoring well at a depth of 150 feet quickly gave the drillers safety clothing to don, filled in the well, and moved the drilling 30 feet away. Detrick and the contractor's public response was that it was not a dangerous incident, even though those involved took immediate emergency measures to protect the workers.

SOUTHERN MARYLAND NEWSPAPERS

A surprise in the state budget Gov. Martin O'Malley's proposed fiscal 2013 spending plan points to increases in the gasoline tax and the flush tax, neither of which is surprising. The groundwork for those tax increases had been established some time ago. More surprising is the governor's call for shifting half of the cost of teacher pensions to the counties. Early last year, O'Malley drew a standing ovation at a Maryland Association of Counties conference when he told local officials that his budget for 2012 would not include a proposal to shift pension costs onto the counties. That stands in contrast to what has transpired in the buildup to the likely tax increases (which would be

announced separately and later). Last year, a blue ribbon commission on transportation with most of the members appointed by the governor recommended a 15-cent gas tax hike over three years. The money is to be used to improve the state's transportation infrastructure. In 2010, the Bay Restoration Fund Advisory Committee with, again, most of its members appointed by the governor recommended doubling the so-called flush tax, a fee assessed on water bills and used to upgrade sewage treatment plants. The goal is to aid in Chesapeake Bay cleanup. Meanwhile, a demarcation line of sorts had been drawn in front of teacher pensions. For years, Senate President Thomas V. Mike Miller Jr. has been the leading advocate of shifting costs onto the counties. But O'Malley, the former mayor of Baltimore, and other lawmakers have been hesitant to saddle already strapped counties with the added financial burden.

VIRGINIA

NORFOLK VIRGINIAN PILOT

Bills highlight dueling concerns in menhaden fight Another session of the General Assembly means more controversy about an oily little fish called menhaden. Lawmakers will consider at least four bills related to regulating the harvest of this species, which provides hundreds of jobs in a fishing industry centered for more than a century on the rural Northern Neck peninsula. Silver colored and massing in great schools, menhaden are not eaten by humans but are fodder for many popular game fish, including striped bass and bluefish, as well as dolphins and brown pelicans. They also filter pollutants in the Chesapeake Bay. Environmentalists have been clamoring for more protections for decades, only to be rebuffed by politicians who manage the fish from Richmond. Perhaps the most sweeping proposal this year would have Virginia withdrawing from a coastal regulatory body, the Atlantic States Marine Fisheries Commission, which wants to impose new catch limits on menhaden in 2013. The commission, with members from Maine to Florida, argues that stocks are stressed and need relief. The withdrawal bill is sponsored by state Sen. Richard Stuart, a Republican who represents sections of the Northern Neck, including the menhaden industry's capital, the town of Reedville. There, tons of the fish are ground up each year into animal feed, fertilizer and omega-3 health supplements. Environmental groups and sports fishermen oppose the bill, saying it would do little good and would represent the first time in 62 years that a state has quit the commission's compact. The Chesapeake Bay Foundation and other environmental groups instead support two proposals from state Sen. Ralph Northam, a Norfolk Democrat who also represents the Eastern Shore. Northam wants to let the Virginia Marine Resources Commission write regulations and implement them to match those that the coastal commission develops over the next year for curbing menhaden harvests. The company that processes menhaden in Reedville, Omega Protein, opposes Northam's bills as well as one from Virginia Beach Del. Barry Knight, a Republican who wants to cement an existing harvest cap that Omega must abide by each year.

NEWPORT NEWS DAILY PRESS

New Surry coal-plant public hearing set for Feb. 27 SURRY – The Surry County Planning Commission has scheduled a new public hearing for Old Dominion Electric Cooperative's proposed coal-fueled power plant for late next month. The planning commission's public hearing will be held from 7 to 10 p.m. Feb. 27 in the Surry County Government Complex. The original hearing was declared void after five county residents won a lawsuit alleging that the community was not properly notified of the Dendron Town Council's intent to vote immediately after the board's February 2010 public hearing. After the planning commission's hearing, the Dendron Town Council will have to reschedule another public hearing for Old Dominion's requested rezoning and conditional-use permit to build Cypress Creek Power station in Dendron. The company's proposal to build the 1,500-megawatt coal-burning power plant on 1,200 acres in town has divided the community and been a target of criticism from environmentalists across Virginia. Officials from several localities, including neighboring Isle of Wight and Williamsburg, have opposed the project, mostly because of potential environmental risks and economic development impacts

FALLS CHURCH NEWS PRESS

Town Hall Meeting Slated to Mull Watershed Management Plan Monday, Feb. 13, prior to a regular business meeting of the Falls Church City Council, a town hall meeting will be held to present the Watershed Management Plan developed after more than two years of study by a volunteer citizen task force. That determination was made at last Monday's F.C. Council meeting. A published version of the plan is also being circulated to key civic organizations for review and input, with plans for a final adoption by the City Council on Feb. 27. The plan was devised by a 14-member Watershed Advisory Committee, working with City staff and the AMEC, Inc., consulting firm. Its goals were defined as (1) reducing flooding, (2) restoring and maintaining a healthy local aquatic ecosystem and (3) cost-effectively comply with state and federal water quality and storm water management regulations. Two factors spurred the effort in the past year. First was the "100 Year Flood" rain event of Sept. 8, 2011, when massive incidents of storm water overflows, co-mingling of fresh water and sewage, and back-ups into residential basements were reported. Second was the calculation that the pending Virginia watershed improvement plan, in conjunction with the U.S. Environmental Protection Agency, for the Chesapeake Bay will slap the City with a whopping \$24 million bill over the next 15 years. The agencies structured a fine schedule for non-compliance that could cost even more, as much as \$32,500 a day. The City's Watershed Management Plan, therefore, involves an array of 11 projects around the City and the creation of a dedicated funding stream for the program. A enterprise fund for storm water management would be, among other things, financed with "storm water utility fees" and "recognizes there is a direct correlation between the amount of impervious cover on a property and the burden a property places on the public storm water management system." The 11 projects are estimated to cost \$3.2 million over the next five years to design and construct, and will qualify as City contributions to the state and federal Chesapeake Bay mandates.

MISCELLANEOUS

BNA DAILY ENVIRONMENT REPORT

Occidental Chemical to Pay \$2.1 Million for Superfund Site Cleanup PHILADELPHIA—Occidental Chemical Corp. will reimburse the United States more than \$2.1 million in past cleanup costs and assume responsibility for all future cleanup costs at a superfund site in Montgomery County, Pa., under terms of a settlement approved by a federal court, the Environmental Protection Agency announced Jan. 25 (United States v. Occidental Chemical Corp., E.D. Pa., No. 11-cv-7149, consent decree approved 1/3/12).

The settling defendants also include Bridgestone Americas Tire Operations LLC, which sold the site to Occidental Chemical (OxyChem) in 1980, and Glenn Springs Holdings Inc., a corporate affiliate of OxyChem that has managed operations at the site since OxyChem closed its polyvinyl chloride (PVC) manufacturing facility there in 2005. The consent decree was lodged Nov. 15 simultaneously with the filing of a civil lawsuit in the U.S. District Court for the Eastern District of Pennsylvania under the Comprehensive Environmental Response, Compensation, and Liability Act for recovery of EPA's past and future response costs at the Occidental Chemical Superfund Site. The comment period on the settlement ended Dec. 22, and the court approved it Jan. 3. The Occidental Chemical site was used from 1942 to 1985 for disposal of industrial wastes, including cutting oils, metal filings, tires, and PVC sludge resins, according to EPA. A portion of the 257-acre property was placed on the National Priorities List in 1989 to address groundwater, soil, and sediment contamination with trichloroethylene (TCE) vinyl chloride monomer, trans-1-2-dichloroethene, and styrene. The superfund portion of the property consists of four earthen lagoons covering some three acres and a 60-acre groundwater plume. EPA Region 3 spokesman Roy Seneca said the agency estimates the cleanup has cost the company more than \$25 million. The cleanup remedy for the contaminated soil meets residential standards and does not require institutional controls, so it is eligible for deletion from the National Priorities List, but the groundwater remedy will require long-term monitoring, according to EPA.

Obama Focuses on 'All-Out, All-of-the-Above' U.S. Energy Strategy Increased natural gas production, clean energy tax credits, and development of renewable sources on public lands are among the energy initiatives

President Obama calls for in his third State of the Union address. Those measures are part of a "blueprint for an America built to last" that Obama says would restore the country's economy.

BURLINGTON FREE PRESS (Vermont)

Vermont Legislature considers banning hydrofracking MONTPELIER -- Nobody has applied to Vermont for permission to drill for oil or gas using hydraulic fracturing. No one is sure it would even be worthwhile to do so. Still, the Legislature and Gov. Peter Shumlin are considering banning the practice, commonly called hydrofracking. Vermont would become the first state to do so. "This is kind of saying, 'Don't bother. Close the door on the issue,'" said Rep. Tony Klein, D-East Montpelier, sponsor of a bill the House Fish & Wildlife Committee is preparing to vote on this week. "It's about protecting our most precious resource -- our groundwater." A look at what's going on in neighboring New York state, across the border in Quebec, in Pennsylvania and elsewhere is all that some lawmakers and state officials needed to conclude they want no part of the procedure. Stories abound of possible links between drilling and contamination of well water, earthquakes and more. Last week, the parliament in Bulgaria banned hydrofracking there. New Jersey legislators tried to, but Gov. Chris Christie vetoed the bill. Don't be so quick to judge, say others who argue that hydraulic fracturing is safe and a sensible alternative to foreign oil and domestic coal. The stories about what's gone on elsewhere have mushroomed into folklore, they say. "We're not aware of any situation where it's been proven groundwater was contaminated as a result of fracking," said Joe Choquette, a Vermont lobbyist who represents the American Petroleum Institute. "This fuel can replace coal and oil. You shouldn't preclude opportunities to explore and develop that resource." Even as the U.S. Environmental Protection Agency has just begun a study of fracking's impact on water supplies, President Barack Obama, in his State of the Union address Tuesday, championed the practice, pledging that it can be done safely. He said the federal government should require drillers to disclose the chemicals used in fracking on public lands.

BINGHAMTOM PRESS AND SUN BULLETIN (NY)

Drilling supporters hail Obama's State of Union comments WASHINGTON -- President Barack Obama's decision to support natural gas drilling on federal lands is being hailed by supporters of hydraulic fracturing in New York. Obama's comments in Tuesday's State of the Union speech "should send a message to all the folks back home that even the president has vetted this and we need to move forward together;" Republican Rep. Tom Reed of Corning said. In his speech, Obama said America's natural gas reserves could meet the nation's energy needs for 100 years and could provide 600,000 jobs by the end of the decade. "The development of natural gas will create jobs and power trucks and factories that are cleaner and cheaper, proving that we don't have to choose between our environment and our economy," Obama said.

Push for ban on natural gas drilling advances in Vestal VESTAL -- After sweeping through the outer limits of New York's Marcellus Shale area, the movement to implement local bans on natural gas drilling is beginning to target the state's potential sweet spot: the Southern Tier. A nascent push to prevent drilling in the 52.5-square-mile Town of Vestal through local legislation has put town politicians on notice and angered landowners, heightening tensions in the already divided municipality.

WBNG TV- BINGHAMTON (NY)

The State of the Shale Gas It was as if President Obama addressed the Southern Tier directly in part of his State of the Union speech last night. "We have a supply of natural gas that could last us over 100 years," the President said. "As Americans, we'll develop the resource without putting the health and safety of our citizens at risk." The President spoke in favor of responsibly developing the resource. "I was surprised by that," said Dan Fitzsimmons of the Joint Landowners Coalition of New York. "It was different, we haven't seen that kind of thing. We've been hoping, wanting, to see that. He did it, we're very encouraged by that." The JLCNY looks to the economic development which could follow gas wells. "If you take one tractor trailer off the road, stop burning diesel through it and replace with natural gas, it's the same as 300 cars," said Dan Fitzsimmons of the Joint Landowners Coalition of New York. "That's the difference environmentally." Opponents of Marcellus Shale development, however, still question the safety of the process looking to accidents in Pennsylvania and say this is a state decision. "The EPA

has submitted 28 pages of excruciatingly detailed comments that, until they're fully resolved as well, we should not be moving forward," said Elaine Perkus of NYRAD. "Keep the de-facto moratorium that is in place until at least there are seventeen critical points that have got to be fully resolved before we move forward," Perkus said. Obama also called for drillers to disclose the ingredients of the fluid used to break up the shale. Natural gas is being developed in thirty-two states.